

SENATE BILL 592

N1

EMERGENCY BILL

2lr1991
CF 2lr1774

By: **Senators Lee, Smith, and Kramer**

Introduced and read first time: February 2, 2022

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Landlord and Tenant – Right to Redemption of Leased Premises – Form of**
3 **Payment**

4 FOR the purpose of providing that, in an action of summary ejectment for failure to pay
5 rent where a landlord or park owner is awarded a judgment giving restitution of the
6 leased premises, a tenant or resident who has the right to redemption of the leased
7 premises by tendering a certain amount of money may tender that amount in a check
8 issued by a political subdivision or on behalf of a governmental entity; and generally
9 relating to the right of redemption by a tenant or resident in an action of summary
10 ejectment for failure to pay rent.

11 BY repealing and reenacting, with amendments,
12 Article – Real Property
13 Section 8–401(g) and 8A–1701(e)
14 Annotated Code of Maryland
15 (2015 Replacement Volume and 2021 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
17 That the Laws of Maryland read as follows:

18 **Article – Real Property**

19 8–401.

20 (g) (1) Subject to paragraph (2) of this subsection, in any action of summary
21 ejectment for failure to pay rent where the landlord is awarded a judgment giving the
22 landlord restitution of the leased premises, the tenant shall have the right to redemption
23 of the leased premises by tendering in cash, certified check [or], money order, **OR**
24 **ELECTRONIC CHECK OR WRITTEN CHECK ISSUED BY A POLITICAL SUBDIVISION OR**
25 **ON BEHALF OF A GOVERNMENTAL ENTITY** to the landlord or the landlord's agent all past

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 due amounts, as determined by the court under subsection (e) of this section, plus all court
2 awarded costs and fees, at any time before actual execution of the eviction order.

3 (2) This subsection does not apply to any tenant against whom 3 judgments
4 of possession have been entered for rent due and unpaid in the 12 months prior to the
5 initiation of the action to which this subsection otherwise would apply.

6 8A-1701.

7 (e) (1) [In] **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
8 **SUBSECTION, IN** any action of summary ejectment for failure to pay rent where the park
9 owner is awarded a judgment giving [him] **THE PARK OWNER** restitution of the leased
10 premises, the resident shall have the right to redemption of the leased premises by
11 tendering in cash, certified check, [or] money order, **OR ELECTRONIC CHECK OR**
12 **WRITTEN CHECK ISSUED BY A POLITICAL SUBDIVISION OR ON BEHALF OF A**
13 **GOVERNMENTAL ENTITY** to the park owner or [his] **THE PARK OWNER'S** agent all past
14 due rent and late fees, plus all court awarded costs and fees, at any time before actual
15 execution of the eviction order.

16 (2) This subsection does not apply to any resident against whom 3
17 judgments of possession have been entered for rent due and unpaid in the 12 months prior
18 to the initiation of the action to which this subsection otherwise would apply.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
20 measure, is necessary for the immediate preservation of the public health or safety, has
21 been passed by a ye and nay vote supported by three-fifths of all the members elected to
22 each of the two Houses of the General Assembly, and shall take effect from the date it is
23 enacted.